IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELVETH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 8133 of 2005

Between:

Sri Siva Ganga Bhavani Fishermen Welfare Society, (A Society of Registered under Societies Registration Act, 35 of 2001) having its registered office at Peddapuram East Godavari District, rep.by its President Sri Gorrela, Nooka Raju, S/o.G.Veera Raju, R/o.7-16-6, Darga Peta, Peddapuram, East Godavari Dist.

..... PETITIONER

AND

The Registrar, (Assistant Director of Fisheries) A.D.F.office, Yetimogga, Jagannaiakpur, Kakinada.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or orders more particularly one in the nature of writ of Mandamus declaring the action of the respondent herein, in so far as not considering and disposing of the petitioner's application dated 7/12/2004 as per provisions of the A.P. Co-operative Societies Act, 1964 and consequently to declare the action of the respondent in not registering the petitioner's society even after expiry of statutory period of 60 days as contemplated under section 6 Rule 6 of A.P.Co-operative society Act, as amounting to highly, arbitrary, illegal and unconstitutional.

Counsel for the Petitioner:MR.GOPALA KRISHNA KALANIDHI

Counsel for the Respondent No.: GP FOR FISHERIES

The Court at the admission stage made the following :

ORDER:

For Declaring the action of the respondent in not considering the petitioner's application dated 7-12-2004 as per the provisions of the Andhra Pradesh Co-Operative Societies Act, 1964 (for short' the Act'), and for not registering the petitioner's Society even after expiry of statutory period of 60 days as contemplated under Section 6 Rule of the Act, as illegal and arbitrary, the present writ petition is filed by the petitioner.

Heard the learned counsel for the petitioner and the learned Government Pleader for Fisheries.

It is for the respondent to take appropriate decision either to register the petitioner's Society or not in accordance with the provisions of the Act. Therefore, without entering into the merits of the petition, I feel it appropriate to direct the respondent to take appropriate decision in accordance with the provisions of the Act, within a period of six weeks from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No costs.

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12-04-2005

To

1. The Registrar, (Assistant Director of Fisheries) A.D.F.office, Yetimogga, Jagannaiakpur, Kakinada.
2. Two CCs to the Government Pleader for Fisheries, High Court Building, Hyderabad. (OUT)
3. Two C.D. copies.

Note:

CC by two days.

(Bo)

sj